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104TH CONGRESS }
1st Session }

SENATE

{ REPORT
104-32

FRANKLIN D. ROOSEVELT FAMILY LANDS

APRIL 7 (legislative day, APRIL 5), 1995.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

together with

MINORITY VIEWS

[To accompany S. 134]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 134) to provide for the acquisition of certain lands formerly occupied by the Franklin D. Roosevelt family, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. ACQUISITION OF LANDS.

(a) IN GENERAL.—(1) The Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to acquire, by purchase with donated or appropriated funds, donation, or otherwise, lands and interests therein in the following properties located at Hyde Park, New York identified as lands critical for protection as depicted on the map entitled “Roosevelt Family Estate” and dated September 1994:

(A) the “Open Park Hodhome Tract”, consisting of approximately 40 acres, which shall be the highest priority for acquisition;

(B) the “Top Cottage Tract”, consisting of approximately 30 acres; and

(C) the “Poughkeepsie Shopping Center, Inc. Tract”, consisting of approximately 55 acres.

(b) ADMINISTRATION.—Lands and interests therein acquired by the Secretary pursuant to this Act shall be added to, and administered by the Secretary as part of the Franklin Delano Roosevelt National Historic Site or the Eleanor Roosevelt National Historic Site, as appropriate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated not to exceed \$3,000,000 to carry out this Act.

PURPOSE OF THE MEASURE

The purpose of S. 134, as ordered reported, is to provide for the acquisition of certain lands formerly occupied by the Franklin D. Roosevelt family and for other purposes.

BACKGROUND AND NEED

Designated as a National Historic Site in 1944, the Franklin D. Roosevelt estate memorializes the President’s birthplace and lifetime residence. A gift from President Roosevelt, the site then consisted of 33 acres containing the home, outbuildings, and the grave site. The Secretary of the Interior accepted title to the area on November 21, 1945, when Eleanor Roosevelt and her children waived their life interest in the house and grounds. The site was formally dedicated on April 12, 1946.

At the time of Franklin D. Roosevelt’s death in 1945, the estate included 1,200 acres of woodlands, fields, tree plantations, and landscaped gardens; the original homesite of President Roosevelt; and Val-kill, the family home after the President’s death. Throughout his adult life, President Roosevelt planted over 200,000 trees in plantations, orchards, and experimental forests. These trees can be seen today by the visitors who walk on the Hyde Park Trail which extends from the Roosevelt estate to Val-kill. Each year, thousands of visitors come to the Franklin D. Roosevelt National Historic Site.

For over 45 years, the Park Service has attempted to preserve and interpret the homesite as it existed during President Roosevelt’s lifetime and to protect the historic integrity of this nationally significant presidential home. As development pressures on the Franklin D. Roosevelt site have increased, the Park Service has taken measures to protect the President’s homesite and, on a case-by-case basis, Congress has approved the purchase of a few key parcels through designated appropriations. Under current law, however, the Park Service is authorized to acquire property at the Franklin D. Roosevelt site only by donation, a restriction that has limited efforts to protect the site. Since 1945, portions of the property have been sold for commercial and residential development. Today only 480 acres of the estate’s original 1,200 acres are under Park Service jurisdiction.

In 1989, the Park Service updated its Land Protection Plan and identified several critical areas which will need either easements, acquisition, or other protections in order to preserve the historic setting of the Roosevelt home site. One such area is a tract called Roosevelt Cove (identified in the bill as the “Open Park Hodhome

Tract"). Roosevelt Cove abuts Park Service land and is located on the Hudson River due south of the estate. It once provided the only views from the Franklin D. Roosevelt site of the Hudson River. Unfortunately, the view is now shielded from the site as years of unmanaged over-growth have overtaken the property. Acquisition of this tract would enhance the interpretive experience at the site by highlighting the significance of the viewshed to the Roosevelt family.

S. 134 would authorize the Secretary to acquire, with appropriated funds, three tracts that the Park Service has identified as critical for protection. These three tracts are the "Open Park Hodhome Tract," consisting of approximately 40 acres; the "Top Cottage Tract," consisting of approximately 30 acres; and the "Poughkeepsie Shopping Center, Inc. Tract," consisting of approximately 55 acres. S. 134 would also designate the Open Park Hodhome tract as the highest priority for acquisition.

LEGISLATIVE HISTORY

S. 134 was introduced by Senator Moynihan on January 4, 1995.

In the 103d Congress, similar legislation, S. 1998, was introduced by Senator Moynihan on March 25, 1994. The Subcommittee on Public Lands, National Parks and Forests held a hearing on S. 1998 on August 4, 1994. The National Park Service testified in support of the legislation as introduced. On September 21, 1994, the Committee on Energy and Natural Resources ordered S. 1998 favorably reported, with an amendment in the nature of a substitute. No further action was taken on the bill.

At the business meeting on March 15, 1995, the Committee on Energy and Natural Resources ordered S. 134, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on March 15, 1995, by a majority vote of a quorum present, recommends that the Senate pass S. 134, if amended as described herein.

The roll call vote on reporting the measure was 13 yeas, 3 nays, as follows:

YEAS	NAYS
Mr. Murkowski	Mr. Thomas
Mr. Hatfield ¹	Mr. Grams
Mr. Domenici	Mr. Burns
Mr. Craig	
Mr. Campbell	
Mr. Jeffords ¹	
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman ¹	
Mr. Akaka	
Mr. Wellstone	

¹ Indicates voted by proxy.

COMMITTEE AMENDMENT

During the consideration of S. 134, the Committee adopted an amendment in the nature of a substitute. The amendment makes several technical and clarifying changes and limits the properties that the Secretary is authorized to acquire with appropriated funds to those lands identified by the Park Service as critical for protection. The amendment also limits new land acquisition costs to \$3 million. The amendment is identical to the bill reported by the Committee during the 103d Congress.

SECTION-BY-SECTION ANALYSIS

Section 1(a) authorizes the Secretary of the Interior (the "Secretary") to acquire, by purchase with donated or appropriated funds, donation, or otherwise, three tracts of land identified by the Park Service as critical for protection and provides an appropriate map reference. This subsection also requires that the Open Park Hodhome tract be the highest priority for acquisition.

Subsection (b) states that lands and interests therein acquired by the Secretary pursuant to this Act shall be added to, and administered by the Secretary as part of the Franklin D. Roosevelt National Historic Site or the Eleanor Roosevelt National Historic Site, as appropriate.

Subsection (c) authorizes the appropriation of up to \$3,000,000 to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 20, 1995.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 134, a bill to provide for the acquisition of certain lands formerly occupied by the Franklin D. Roosevelt family, and for other purposes.

Enacting S. 134 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 134.
2. Bill title: A bill to provide for the acquisition of certain lands formerly occupied by the Franklin D. Roosevelt family, and for other purposes.

3. Bill status: As ordered reported by the Senate Committee on Energy and Natural Resources on March 15, 1995.

4. Bill purpose: S. 134 would authorize the National Park Service (NPS) to acquire by purchase, donation, or other means three properties in Hyde Park, New York. The acquired lands, comprising about 125 acres, would be added to one of the national historic sites honoring Eleanor or Franklin Delano Roosevelt. The bill would authorize the appropriation of up to \$3 million for this purpose.

5. Estimated cost to the Federal Government: The estimated costs of purchasing the three Hyde Park properties and for developing and maintaining those properties are shown in the following table.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000
Estimated authorization of appropriations	3.0	0.3	0.3	0.3	0.3
Estimated outlays	2.0	1.2	0.3	0.3	0.3

The costs of this bill fall within budget function 300.

For purposes of this estimate, CBO has assumed that S. 134 will be enacted by the end of fiscal year 1995 and that the full amounts estimated to be necessary will be appropriated. The authorization level for 1996 is the \$3 million specified in the bill, which CBO estimates would be spent over the 1996–1999 period to purchase the three listed properties. In addition, CBO estimates authorizations of \$0.3 million per year in subsequent years to reflect the costs to develop, manage, and operate visitor facilities at one newly acquired property, Top Cottage. Outlays have been estimated on the basis of historical patterns for similar projects.

6. Comparison with spending under current law: There is no spending under current law related to the properties cited in S. 134.

7. Pay-as-you-go considerations: None.

8. Estimated cost to State and local governments: None.

9. Estimate comparison: None.

10. Previous CBO estimate: None.

11. Estimate prepared by: Deborah Reis.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 134. The bill is not a regulatory measure in the sense of imposing responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 134, as ordered reported.

EXECUTIVE COMMUNICATIONS

On March 21, 1995, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 134. These reports had not been received at the time the report on S. 134 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 134, as ordered reported.

MINORITY VIEWS

On March 15th, the Energy and Natural Resources Committee voted on five bills en bloc, reporting them as an entire package. Had there been an opportunity to vote on each of the initiatives separately, I would have voted against S. 134, the bill to allow the use of appropriated funds to acquire certain additional tracts of land at the Roosevelt National Historic Site in Hyde Park, New York. With no opportunity to cast a separate vote on S. 134, I withheld my vote on the entire package.

S. 134 removes the existing stipulation that the National Park Service may only acquire additional property at the Hyde Park site by donation. Although I understand that the existing restriction has limited efforts to protect the site, I also believe Congress needs to better prioritize spending, particularly as it attempts to balance the federal budget.

It seems to me that President Roosevelt, if he were here today, would rather see scarce dollars used to address the needs of the American people than devoted to the purchase of additional land in his honor.

JON KYL.

